

Resolution: 15-878
Introduced: November 9, 2004
Adopted: February 1, 2005

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Council President at the Request of the County Executive

SUBJECT: Supplemental Appropriation #9-S05-CMCG-5 to the FY05 Capital Budget and
Amendment to the FY05-10 Capital Improvements Program
Montgomery County Government
Department of Correction and Rehabilitation
Detention Center Reuse (No. 429755), [\$4,993,000] \$4,097,000

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.
3. The Department of Correction and Rehabilitation has requested the following capital project appropriation increases:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Detention Center Reuse	429755	PDS	\$1,018,000	
		Site Improvements	\$1,445,000	
		Construction	\$2,230,000	
		Other	\$ <u>300,000</u>	
TOTAL			\$4,993,000	G.O Bonds & State Aid

4. This increase is needed because the overall project cost has increased to implement the approved program of requirements for design, construction and information technology. Design and construction contingencies have also been evaluated and increased. The recommended amendment is consistent with the criteria for amending the CIP because the project leverages significant non-County sources of funds through two approved State grants and the project has validated extraordinary inflation as seen in multiple professional cost estimates.

During the concept planning phase, a program validation process was completed and professional cost estimates indicated the need for increased funding due to current market conditions. A comprehensive evaluation of the project scope through value engineering was completed during two separate studies and all non-essential scope items were reduced. The professional cost estimates at the conclusion of this effort still indicate the project requires an increased funding allocation.

5. The County Executive recommends an amendment to the FY05-10 Capital Improvements Program and a supplemental appropriation in the amount of \$4,993,000 for Detention Center Reuse (No. 429755), and specifies that the source of funds will be General Obligation Bonds.
6. The Public Safety Committee met on December 13, 2004 and recommends an appropriation of \$4,097,000 which provides a 10% contingency.
7. Notice of public hearing was given and a public hearing was held.


Action

The County Council for Montgomery County, Maryland, approves the following action:

The FY05-10 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description form and a supplemental appropriation is approved as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Detention Center Reuse	429755	PDS	\$1,018,000	
		Site Improvements	\$1,445,000	
		Construction	\$1,334,000	
		Other	\$ <u>300,000</u>	
TOTAL			\$4,097,000	G.O. Bonds/State Aid

This is a correct copy of Council action.


Elda M. Dodson, CMC
Acting Clerk of the Council

Attachment to Resolution 15-878
Detention Center Reuse -- No. 429755

Category: Public Safety
 Agency: Correction & Rehabilitation
 Planning Area: Countywide
 Relocation Impact:

Date Last Modified: November 2, 2004
 Previous PDF Page Number: 7-26(04 App)
 Required Adequate Public Facility: NO

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY03	Est. FY04	Total 6 Years	FY05	FY06	FY07	FY08	FY09	FY10	Beyond 6 Years
Planning, Design and Supervision	4,549	709	1,746	2,094	848	228	518	500	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	2,313	0	0	2,313	617	251	723	722	0	0	0
Construction	17,427	93	0	18,230	3,139	6,261	6,580	2,230	0	0	0
Other	2,669	0	0	2,669	43	1,826	500	300	0	0	0
Total	26,958	802	1,746	25,306	4,647	8,666	8,241	3,752	0	0	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	15,780	16,228	762	893	14,573	1,599	3,477	6,526	2,971	0	0	0
Current Revenue:												
General	40	40	0	0	0	0	0	0	0	0	0	0
State Aid	11,138	11,886	0	853	10,753	3,048	5,149	1,745	781	0	0	0

ANNUAL OPERATING BUDGET IMPACT (\$000)

Energy					-54	0	0	0	-18	-18	-18	-18
Net Impact					-54	0	0	0	-18	-18	-18	-18

DESCRIPTION

This project provides for the planning, design and renovation of the Montgomery County Detention Center (MCDC) for use primarily as a short-term holding and central processing facility. Other proposed uses for MCDC include: DOCR training; District Court Commissioners' area; DHHS-Mental Health Assessment and Placement Unit; Pre-trial Services Assessment Unit; Public Defenders Unit; and the Police Warrants and Fugitive Unit. These uses are considered priority public safety uses and are consistent with Council Resolution No. 13-356 approving construction of the Montgomery County Correctional Facility.

Service Area

Countywide

JUSTIFICATION

An interagency working group, as directed in Council Resolution 13-356, provided preliminary recommendations regarding priority reuses for MCDC to the Council in December 1996. The County Council hired an independent consultant to review the correctional and financial aspects of the planned correctional facilities as outlined in Resolution 13-356.

Plans and Studies

An interagency working group has verified that the identified priority uses can be accommodated within the MCDC, confirmed adjacency and functional efficiencies, and incorporated recommendations made by the Council consultant. Executive staff has completed facility planning work and presented a draft Program of Requirements (POR) for comment to the County Council, City of Rockville Council and Planning Board, Neighborhood Associations, and the general public. The POR was approved by the Chief Administrative Officer in February 2002. Pedestrian Safety is being considered during design.

Cost Change

Increase due to complex construction phasing, cost escalation, and increased contingency.

STATUS

Facility planning on the reuse components is complete. Project is in the design stage.

OTHER

An operating budget impact analysis has been completed. State aid will be requested for the reuse of MCDC pursuant to the Annotated Code of Maryland, Section 11-104. Lease arrangements with the State regarding the Commissioners' space will be developed prior to the completion of the construction of the Central Processing Unit (CPU) portion of this project.

APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY97	(\$000)
Initial Cost Estimate		345
First Cost Estimate		
Current Scope	FY03	21,065
Last FY's Cost Estimate		22,861
Present Cost Estimate		26,958
Appropriation Request	FY05	3,142
Appropriation Request Est.	FY06	0
Supplemental		
Appropriation Request	FY05	4,047
Transfer		0
Cumulative Appropriation		19,719
Expenditures/		
Encumbrances		2,813
Unencumbered Balance		16,906
Partial Closeout Thru	FY02	0
New Partial Closeout	FY03	0
Total Partial Closeout		0

COORDINATION

County Council
 Office of Management and Budget
 Department of Public Works and Transportation,
 Division of Capital Development
 Department of Police
 Sheriff's Office
 Department of Correction and Rehabilitation
 Department of Health and Human Services
 Criminal Justice Coordinating Commission
 Circuit and District Courts
 Court Commissioners
 M-NCPPC
 Community Representatives
 State of Maryland
 City of Rockville

Special Projects Legislation was approved May 23, 2002 (Bill No. 10-02).

The Executive asserts that this project conforms to the requirements of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

MAP

